

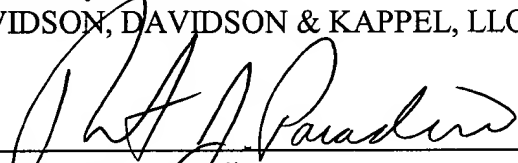
STATEMENT

2. I, the person signing below state:

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By


Robert J. Paradiso
Reg. No. 41,240

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450



Docket No.: 300.1023
Date: February 8, 2005

In re application of: Chih-Ming Chen, et al.
Serial No.: 09/726,193
Filed: November 29, 2000
For: **CONTROLLED RELEASE METFORMIN FORMULATIONS**

Sir:

Transmitted herewith is an **Supplemental Information Disclosure Statement** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=	0	x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus***	=	0	x \$ 40	\$		x \$ 80	\$
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$135	\$		+ \$270	\$


TOTAL: \$ OR TOTAL: \$

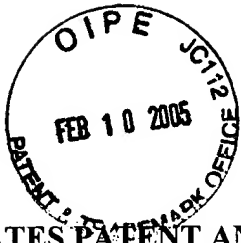
- ☒ Also transmitted herewith are:
☐ Petition for extension under 37 C.F.R. 1.136
☒ Other: Statement for Information Disclosure under 37 C.F.R. 1.97(e)
☒ Form PTO 1449 with attached references
- ☒ Check(s) in the amount **\$180.00** of is/are attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Petition fee for extension under 37 C.F.R. 1.136
☒ Other :Fee under 37 CFR 1.17(p)
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


 Robert J. Paradiso, Reg. No. 41,240
 DAVIDSON, DAVIDSON & KAPPEL, LLC
 485 Seventh Avenue, 14th Floor
 New York, New York 10018
 Tel: (212) 736-1940
 Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on February 8, 2005.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
 Guendoline Decosta



300.1023

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: B. Fubara Art Unit: 1615
Re: Application of: Chih-Ming CHEN et al.
 Serial No.: 09/726,193
 Filed: November 29, 2000
 For: **CONTROLLED RELEASE METFORMIN
 FORMULATIONS**

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 8, 2005

Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicants hereby make of record the document listed on the accompanying Form PTO-1449 (1 sheet) for consideration by the Examiner in connection with the examination of the above-identified patent application.

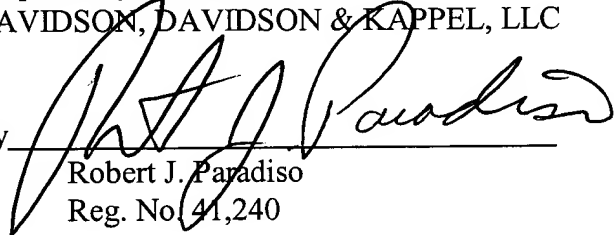
Pursuant to 37 C.F.R. § 1.98 (a), the reference listed on sheet 1 of the attached Form PTO-1449 is enclosed. If it is determined the listed reference is not presently enclosed, the Examiner is requested to contact the undersigned so that a copy can be forwarded.

It is respectfully requested that the reference cited in the accompanying Form PTO-1449 (1 sheet) be considered and made of record.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97 (e)(2); the information contained herein was not known to any individual designated in § 1.56 (c) more than three months prior to the filing of this statement. Accordingly, a check in the amount of \$180.00 for the fee set forth in 37 CFR § 1.17(p) is enclosed. In the event any additional fee is due in connection with the filing of this Information Disclosure Statement, or overpayment made, the Commissioner is hereby authorized to charge said deficiency or credit overpayment to our Deposit Account No. 50-0552.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By



Robert J. Paradiso
Reg. No. 41,240

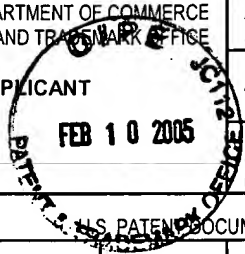
Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
300.1023SERIAL NO.:
09/726,193

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): Chih-Ming CHEN, et al.

FILING DATE:
November 29, 2000GROUP:
1615

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3	1	7	4	9	0	1	03/23/1965	Sterne	514	635	
	AB												
	AC												
	AD												
	AE												
	AF												
	AG												

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
														YES	NO
	AH														
	AI														
	AJ														
	AK														
	AL														

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	
	AN	
	AD	
	AP	
	AC	
	AR	
	AS	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.